

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

Luster

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**FILE:** B-216896**DATE:** November 26, 1984**MATTER OF:** L. A. Spievak Corp.**DIGEST:**

Protest against solicitation specifications received by GAO after the time set for bid opening is not timely.

L. A. Spievak Corp. (Spievak) protests the specifications under invitation for bids (IFB) FEP-CP-F0256-A issued by the General Services Administration (GSA). The solicitation is for the supply of a quantity of precision measuring devices. No award has been made.

GSA advises that bids under the solicitation were opened at 11 a.m. on August 10, 1984. On October 11, 1984, Spievak filed its protest that the solicitation's performance specifications were "arbitrary and unworkable."

Our Bid Protest Procedures provide that protests of alleged improprieties in a solicitation which are apparent prior to bid opening must be filed in our Office prior to that date. 4 C.F.R. § 21.2(b)(1) (1984). See Carrier Air Conditioning, B-208069, July 12, 1982, 82-2 C.P.D. ¶ 46.

Spievak has not provided us with anything which would indicate that the product specifications and any objections thereto were other than ascertainable from reading the solicitation prior to bid opening. Therefore, since the basis of Spievak's protest was apparent before bid opening, but filed after bid opening, Spievak's protest is untimely.

Accordingly, the protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
General Counsel

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